

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PARISH GOLDEN,

Plaintiff,

v.

JANEL NICKEL, GREG GRAMS,
DYLAN RADTKE, JAMES SPANGBERG,
MIKE SAUNDERS, DAN WESTFIELD,
JOHN BETT and MARK HEISE,
in their official and individual capacities, and
RICHARD RAEMISCH in his official capacity,

Defendants.

ORDER

09-cv-150-bbc

As directed in this court's order of September 14, 2009, plaintiff Parish Golden has submitted a certified copy of his trust fund account statement so that a determination may be made whether he is indigent for the purpose of proceeding on appeal in forma pauperis and if he is, what amount must be assessed under the 1996 Prison Litigation Reform Act as an initial partial payment of the fee for filing his appeal. (In the September 14 order, I found that plaintiff's appeal is not taken in bad faith and that he is not barred by the three strikes provision of 28 U.S.C. § 1915(g) from proceeding with his appeal in forma pauperis.)

From plaintiff's trust fund account statement, I conclude that he qualifies for indigent status. Plaintiff is to make an initial partial payment of \$4.83 toward the filing fee of \$455.

Also, plaintiff has requested that the transcript of the preliminary injunction hearing be prepared at government expense. Because I have certified that plaintiff's appeal is not taken in bad faith, I will grant this request. 28 U.S.C. § 753(f).

ORDER

IT IS ORDERED that:

1. Plaintiff's request for the preparation of transcripts of the preliminary injunction hearing, dkt. #78, is GRANTED.

2. Plaintiff Parish Golden's request for leave to proceed in forma pauperis on appeal is GRANTED. Plaintiff may have until October 15, 2009, in which to submit a check or money order made payable to the clerk of court in the amount of \$4.83. If, by October 15, 2009, plaintiff fails to pay the initial partial payment or explain his failure to do so, then I will advise the court of appeals of his noncompliance in paying the assessment so that it may take whatever steps it deems appropriate with respect to this appeal.

Further, the clerk of court is requested to insure that the court's financial records reflect plaintiff's obligation to make the \$4.83 initial partial payment and pay the remainder of the \$455 fee in monthly installments.

Entered this 28th day of September, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge